



Planning Statement

on behalf of:

**Constructing Growth and
Housing 21**

Residential Development at

Compton Mill, Leek

June 2021

Prepared by

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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared by SATPLAN LTD in support of a planning application seeking full planning permission for the erection of 57 no. over-65 retirement living apartments, together with external amenity space, parking and associated facilities at the site of the former Compton Mill, Compton, Leek. This scheme is brought forward by Constructing Growth in association with joint Applicant Housing 21, a leading not-for-profit provider of Retirement Housing and Extra Care for older people of modest means that manage similar schemes across England.
- 1.2 This Statement explains the proposed development in full, identifies the relevant planning policies and justifies the overriding reasons why planning permission should be granted for the proposed development.
- 1.3 This scheme follows on from an extant full planning permission (ref: SMD/2017/0083) which grants permission for a similar apartment building at the Site. Ultimately as the proposed development differs from the extant approval a new full application is required in order to obtain the relevant consent. The Applicant team have been mindful of the extant permission when considering their various disciplines and include, where relevant, comparisons between the now proposed scheme for 57. no apartments for persons aged 65 years and over.
- 1.4 The following documents have been submitted in support of this planning application, and should be read alongside this Planning Statement in understanding and assessing the proposals:
- Planning application form, and duly signed ownership certificate;
 - Site Location Plan, reference 529/29(02)001;
 - Topographical Survey Plan;
 - Proposed Site Plan, reference 526/29(02)010 B;
 - Proposed Lower Ground Floor Plan, reference 526/29(02)100 C;
 - Proposed Ground Floor Plan, reference 526/29(02)101 C;
 - Proposed First Floor Plan, reference 526/29(02)102 C;
 - Proposed Second Floor Plan, reference 526/29(02)103 C;
 - Proposed Third Floor Plan, reference 526/29(02)104 C;
 - Proposed Roof Plan, reference 526/29(02)107 A;
 - Proposed Elevations Plan, reference 526/29(02)200 C;
 - Proposed Boundary Treatment Plan, reference 526/29(02)011;

- Proposed Building and Site Sections Sheet 1, reference 526/29(02)210;
- Proposed Building and Site Sections Sheet 2, reference 526/29(02)211;
- Proposed Flat Type A Plan, reference 526/29(02)110;
- Proposed Flat Type B Plan, reference 526/29(02)111;
- Proposed Flat Type C Plan, reference 526/29(02)112;
- Proposed Flat Type D Plan, reference 526/29(02)113;
- Proposed Flat Type E Plan, reference 526/29(02)114;
- Proposed Flat Type F Plan, reference 526/29(02)115;
- Proposed Flat Type G Plan, reference 526/29(02)116;
- Proposed Flat Type H Plan, reference 526/29(02)117;
- Proposed Flat Type J Plan, reference 526/29(02)118;
- Proposed Flat Type K Plan, reference 526/29(02)119;
- Proposed Flat Type L Plan, reference 526/29(02)120;
- Proposed Flat Type M Plan, reference 526/29(02)121;
- Proposed 3D Model Plan;
- Proposed Landscape GA Plan, reference 319 01;
- Design and Access Statement;
- Heritage Statement;
- Transport Statement;
- Noise Impact Assessment;
- Ecological Appraisal;
- Flood Risk Assessment and Drainage Strategy;
- Private Drainage Plan, reference NW151/01/05 revision B;
- External Works Plan, reference NW151/01/08 revision A; and
- Stage 2 Geo-Environmental Report.

1.5 The remainder of this statement is structured as follows:

- **Section 2 - Site Context** - provides a description of the application site and describes the context of the location.
- **Section 3 - Proposed Development** - provides a description of the proposed development.
- **Section 4 - Planning Policy Framework** - identifies the policies at a national, and local level, relevant to the site and the proposed development.

- **Section 5 - Key Planning Considerations & Policy Assessment** - addresses the principal issues to take into account when determining the application for the proposed development.
- **Section 6 - Summary and Conclusions** - draws out the main considerations in light of all the information presented, demonstrating that the proposed development is acceptable and that planning permission should be granted.



2. SITE CONTEXT

- 2.1. The Site encompasses 0.42 hectares of land, that comprises principally of hardstanding but for the retained stair tower of the former Compton Mill building that had previously occupied the Site. Originally Compton Mill had produced silk, a use which had occupied the Site since at least 1879, when the first Ordnance Survey map identifies the Site as 'Compton Mills (Silk)'. The original mill complex was subject to a fire in the 1960's after which only the frontage onto Compton / Prospect Place was retained and a modern mill redeveloped behind it. The last use of Compton Mill was for storage and an antiques showroom.
- 2.2. The majority of the Compton Mill complex was demolished in 2018, as part of the initial stage of construction works of planning permission reference SMD/2017/0083. As a result of the implementation of this permission the consent remains extant such that the Site can be developed at any time for 'Proposed residential accommodation with care, (use Class C2) comprising 57 apartments for persons aged 55 and over with communal areas, associated landscaping, access roads, car parking, bin stores and services'.
- 2.3. In accordance with the 2017 permission the former stairwell on the Compton (A520) / Prospect Place frontage has been retained, albeit all other structures on Site have been demolished or removed. The Site therefore currently comprises principally of hardstanding, but for the stairwell located on the western side of the Site. Associated with the previous construction works a number of shipping containers are located on the various development plateaus across the Site, these are largely located on the eastern side of the Site.
- 2.4. There is a notable level difference across the Site, as set out on the Topographical Survey that accompanies this application. The Site is generally sloping from its eastern boundary to the lower points along the western boundary, with a difference of approximately 5-7 metres.
- 2.5. The Site is fairly rectangular in shape and is bound by Cornhill Street to the north; Duke Street to the south; and Compton / Prospect Place to the west. To the south-east of the site are residential properties fronting Duke Street. A large mill complex bounds the Site to the east.
- 2.6. Access to the Site is currently restricted by Herras fencing, but previous vehicular access into the Site is evident by the breaks in pavements and dropped kerbs along Compton, Duke Street and Cornhill Street.

Site Context

- 2.7. The Site is conveniently located on the Southern edge of Leek Town Centre within short walking distance of established community facilities, goods and services.
- 2.8. In respect of its immediate surroundings the Site is in a mixed-use area. Existing terrace homes overlook the Site to the north and south of the Site. The former Mill complex to the east of the Site appears to be in a commercial use. To the west of the Site is St Mary's Roman Catholic Church, Leek Glass and Windows and The Greenman Guest House.
- 2.9. The Compton Mill Site lies just outside the Leek Conservation area. The revised 2013 boundaries of the Leek CA identified no.s 31-35 Compton, located directly south of the Site. St. Mary's Roman Catholic Church which Grade II Listed is noted to be one of the three major elements of 'The Southern Section' of Leeks Conservation Area located to the West of the Site. The area to the south and west is recognised to be 'the earliest coherent area of industrial development'. This area around Albion Mill and King Street although is visually remote to the application Site, provides justification for the terraced lined grid-iron street pattern.
- 2.10. Much of the public boundaries and the rear north west boundary are defined by buildings. Storey highest widely vary, including 2 storey terraced homes and cottages, 3 storey 'weavers cottages' and substantial 5 story buildings located on London Street. The North to South sloping topography further exaggerates the consequent variety of massing and detail within the street pattern.
- 2.11. Compton (A520) is also a main bus route, with a stop currently located along the Site frontage. The routes that by-pass the Site provide regular public transport links to Macclesfield and Hanley. In addition, the main bus station is located only 250 metres to the east of the Site providing additional routes for passengers.

Planning History

Planning History

- 2.12. It is clear from the recent planning history of the Site that a number of proposals have established a future residential redevelopment of the Site. The planning application history set out in Table 2.1 below identifies the planning applications that have been submitted in relation to the Application Site since 2010.

Table 2.1: Site Planning History Since 2010.

Application Ref. / Development	Development Description	Decision / Date	Observations
SMD/2010/0145 alternative application reference: 10/00124/FUL_MJ	Residential accommodation (C2 Use Class) Comprising 66 apartments with communal facilities, parking and associated private amenity space.	Approved / 21 st May 2010	The scheme included care for residents. The building location within the Site, and its scale and massing is very similar to that now proposed. This planning consent has now expired.
SMD 2014/0702	Permission to replace an extant planning permission (10/00124/FUL_MJ) - Residential accommodation (C2 Use Class) comprising 66 apartments with commercial facilities, park and associated amenity space	Approved / 30 th March 2015	In May 2015, the 2010 planning permission was subsequently renewed, reference.
SMD/2017/0083	Proposed residential accommodation with care, (use Class C2) comprising 57 apartments for persons aged 55 and over with communal areas, associated landscaping, access roads, car parking, bin stores and services.	Approved / 29 th November 2017	- The layout, scale and massing of this proposal are similar to that of these up- dated proposals; - Vehicular access into the Site was approved off Duke Street; - The Former Mill stair tower is to be retained as part of the proposals; - Pedestrian crossing facilities on Compton are to be provided for Pedestrian Access;

Application Ref. / Development	Development Description	Decision / Date	Observations
			- The building entrance linked directly to and from the car park; - The scheme comprises of 57 no. apartments for people ages 55 years and over; - Suitable stand-off distances were achieved to the adjacent properties; and - A series of Discharge of Conditions applications were submitted in 2018 and the details subsequently agreed. the Application then began to implement the permission.

2.13. All of the above applications approved a building on site in a similar location, and of a similar scale and massing. These design considerations have been taken into account during the design phases of preparing this application.

2.14. The 2017 permission was implemented following the submission and approval of a number of discharge of condition applications. This permission therefore provides a fall back position, and importantly establishes the principle of developing this Site for a principally residential use. For completeness the decision notice for planning permission reference SMD/2017/0083 is included at Appendix I of this report.

2.15. It is also noted that on 20th May 2016 that outline planning permission was granted for the demolition of London Mill, to the east of the Site, and redevelopment of that site to provide 96 apartments: 76 no. for older people, 16 no. for general needs and 4 no. for starter families (reference SMD/2015/0585). It is therefore clear that this area of Leek Town Centre is an area of change and regeneration of which the proposed scheme can contribute.

3. PROPOSED DEVELOPMENT

- 3.1. This planning application is seeking full planning permission for the erection of 57 no. over-65 retirement living apartments, together with external amenity space, parking and associated facilities.
- 3.2. The proposals comprise of 57 no. apartments, 43 no. of which will be one bedroom apartments, and 14 no. of which will be two bedroom apartments. The housing mix has been led by the Housing Association partner for the scheme, Housing 21, who are a leading provider of Retirement Housing and Extra Care for older people of modest means. The housing mix is therefore aimed at the older residents, and as such will be reserved for people aged 65 years old and over and will all be available on affordable tenures.
- 3.3. The proposed development has been designed to incorporate the inherent sloping topography of the Site, and the surrounding buildings which are a variety of different height. The proposed development therefore comprises of a variety of building heights. The apartments closest to Duke Street, on the southern side of the Site, is two storeys in height. The remainder of the building comprises of two sections. The western side of the building is four storeys in height and includes a lower ground floor level reflective of the lower levels on this side of the Site. The eastern side of the Site, which is at a higher level, is also four stories in height but includes apartments on the third floor but no apartments on the lower ground level. The building design is therefore split level in order to respond to the level differences across the Site and to enable the proposals to reflect the existing surrounding buildings.
- 3.4. The proposals integrate the existing retained staircase turret into the scheme. As shown on the proposed floor plans this feature is connected to the proposed building via the living rooms of apartments at lower ground, ground and first floor of the scheme. Other key design elements from this asset have been incorporated into the wider building design, these include the predominant use of red brick and stone detailing bands.
- 3.5. At ground floor the apartment building includes the following facilities, located at the main entrance to the building, for the benefit of residents and visitors:
- A lobby area at the building entrance for residents and visitors to be welcomed by staff, and provide a welcome space;
 - A resident's lounge and communal tea-making area, providing a social space for residents. This can be portioned off to enable multiple activities taking place in the lounge at any given time.;
 - An office area and facilities for on-site management staff;

- Buggy store for scooter parking for residents, which has direct external access for convenience of use; and
 - General plant and equipment areas.
- 3.6. Internally the proposals include two staircases, at separate ends of the building, and two elevators which are centrally located. This approach ensures convenient access throughout the development for both residents and staff.
- 3.7. The main access into the building leads out to the proposed car park. The car park comprises of 31 no. car parking spaces, 3 no. of which are designated accessible spaces and are located closest to the building entrance. The car park area also includes a bicycle parking facility and bin store, both of which are directly opposite the main access into the building, and so are conveniently located and benefit from natural surveillance. The vehicular access into the car park is directly off Duke Street, reflective of previously approved schemes at the Site (reference SMD/2017/0083).
- 3.8. A number of pedestrian accesses are proposed into the Site off Duke Street (alongside the vehicular access); on to Compton (via dedicated pedestrians' pathways around the building); and on to Cornhill Street (via a dedicated pedestrian link into the car park and garden area).
- 3.9. The proposed building is surrounded by landscaping, details of which are shown on the submitted landscaping plans. This includes a soft landscape buffer setting the building back from Compton, providing lower ground residents a pleasant outlook and some separation from pedestrians using the footways on Compton. The main garden areas are however on the eastern side of the building, closest to the main building entrance and comprise of a mix of soft and hard landscaped areas with including the courtyard at the building entrance and pergolas set in soft landscaping to the north-east of the Site.

Housing 21

- 3.10. Housing 21 is a leading not for profit provider of Retirement Housing and Extra Care for older people of modest means. As a registered provider, they are one of the largest developers of specialist housing for older people and the largest provider of Extra Care housing in England. Currently they operate in nearly 200 local authority areas, managing around 20,000 Retirement and Extra Care Living properties and providing over 42,000 hours of social care each week. They are committed to development and will build 800 properties a year from 2021.

- 3.11. As a charitable, not for profit provider, Housing 21 are led by their social purpose which is driven by providing high quality and affordable housing and care for those who need it most. Any profit made goes into developing their properties and services for the benefit of their existing and new residents. They are also proud to be a dementia-friendly organisation and work hard to embed dementia-friendly design and services throughout the organisation to help support those residents living with dementia.
- 3.12. This scheme is proposed to be one of Housing 21's retirement living schemes which are designed for independent living, to be safe and secure, located close to local shops, town centre and essential amenities, including transport. The location of the Site is therefore well suited to meeting Housing 21's specialist requirements, which are based on their resident's needs and preferences. Furthermore, the scheme has been designed specifically to meet their property requirements and as such include informal seating areas for resident socialising opportunities, manager facilities and a secure buggy store.

Pre-application Discussions

- 3.13. The Applicant team have not formally engaged with the Local Authority as part of the preparation of this application, but have notified them of a revised application. As part of this discussion the Applicant briefly set out the changes and similarities from the extant planning consent which was approved in 2017. It was agreed that the proposals would need to be subject to a new application in its own right given the deviation of design parameters agreed as part of the previous planning application. The suite of plans and technical documents required to support a revised application were also agreed as part of these discussions. This submission reflects these discussions.



4. PLANNING POLICY FRAMEWORK

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

Statutory Development Plan

- 4.2. The statutory development plan for the area comprises of the:

- Staffordshire Moorlands Local Plan 2014 - 2033 adopted September 2020;
- Minerals Local Plan for Staffordshire (2015 – 2030); and
- Staffordshire and Stoke-on-Trent Waste Local Plan (2010 – 2026).

On this basis, the key policies against which this application should be assessed are:

Staffordshire Moorlands Local Plan 2014 – 2033

Policy SS 1 Development Principles

Policy SS 2 Settlement Hierarchy

Policy SS 3 Future Provision and Distribution of Development

Policy SS 4 Strategic Housing and Employment Land Supply

Policy SS 5 Leek Area Strategy

Policy SS 11 Churnet Valley Strategy

Policy SS 12 Planning Obligations and Community Infrastructure Levy

Policy SD 1 Sustainable Use of Resources

Policy SD 2 Renewable/Low-Carbon Energy

Policy SD 3 Sustainability Measures in Development

Policy SD 4 Pollution and Water Quality

Policy SD 5 Flood Risk

Policy E 1 New Employment Development

Policy E 3 Existing Employment Areas, Premises and Allocations

Policy H 1 New Housing Development

Policy H 3 Affordable Housing

Policy DC 1 Design Considerations

Policy DC 2 The Historic Environment

Policy C 2 Sport, Recreation and Open Space

Policy C 3 Green Infrastructure

Policy NE 1 Biodiversity and Geological Resources

Policy T 1 Development and Sustainable Transport

Policy T 2 Other Sustainable Transport Measures

- 4.3. Given the site context and development proposals it is considered that none of the policies in the Mineral Local Plan for Staffordshire or the Staffordshire and Stoke-on-Trent Waste Local Plan are directly applicable to the proposals.

Other Material Considerations

- 4.4. In addition to the statutory development plan, the following documents should be given due weight in the planning assessment:
- National Planning Policy Framework (NPPF), published February 2019; and
 - Supplementary Planning Documents (SPDs) prepared and adopted by the Council to expand upon Local Plan policies.

National Planning Policy Framework (NPPF)

- 4.5. The NPPF sets out the Government's view of what constitutes sustainable development and what this means for the planning system. Paragraph 8 considers there to be three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are:
- **Economic**— to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support

growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- **Social**– to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- **Environmental**– to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.6. The Framework makes clear that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area (paragraph 9).

4.7. To ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. As set in Paragraph 11, in respect of decision taking this requires Local Authorities to approve without delay development that complies with an up to date development plan. Alternatively, where no development plan policies are in place permission should be granted unless the development detrimentally impacts protected areas, and so would be contrary to the policy objectives of the Framework, or the development benefits would be significantly outweighed by the adverse impacts.

4.8. Amongst other notable and relevant provisions of NPPF are:

- A requirement for Local Authorities to utilise as much previously developed land as possible in order to meet their objectively assessed development needs (paragraph 117);
- To boost significantly the supply of housing, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed (paragraph 59);
- The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (paragraph 61);
- Local Authorities must have a supply of specific, deliverable sites for the one to five year period, which should be reviewed on an annual basis and should include a buffer of either 5%, 10% or 20% depending on previous delivery rates (paragraph 73);

- It is recognised that small and medium sized sites can make an important contribution to meeting the housing requirement of an authority as these are often built out quickly, thereby boosting delivery of much needed homes (paragraph 68);
- Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support the development of under-utilised sites especially where this helps to meet identified housing needs where land is constrained (paragraph 118);
- A requirement on Local Authorities to take a proactive role in helping to bring forward land that is suitable to meeting development needs, for which Brownfield Registers are identified as one approach (paragraph 119);
- Planning decisions need to reflect changes in the demand for land, and should be informed by regular reviews of allocations and land availability. Where there are no reasonable prospects of a site coming forward for its allocated use Local Authorities should reallocate the land when undertaking a Local Plan Review, or support proposals for alternative uses where it would contribute to meeting an unmet need in the area (paragraph 120);
- Good design is a key aspect of sustainable development (paragraph 124); and
- Planning policy and decisions should contribute to enhancing the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (Paragraph 170).

Supplementary Planning Documents

4.9. In order to expand upon adopted planning policies Staffordshire Moorlands District Council have adopted a number of Supplementary Planning Documents/Guidance (SPD/G). In respect of the proposed development the following are considered to be relevant:

- Leek Town Centre Masterplan, adopted by the Council in March 2014 and which aims to secure Leek's position within the sub-region as an interesting and distinctive place to visit, shop and live. As part of achieving this, this document identifies opportunity sites the regeneration of which will help to achieve this vision. The Compton Mill Area is one of these opportunity sites;
- Churnet Valley Masterplan, adopted by the Council in March 2014 and which identifies the unique character of the Churnet Valley which encompasses Leek, Cheadle, Alton Towers Resort and the wider valley within which they sit including historical landscapes, industrial heritage features and both ecological and geological important statutory sites. This SPD looks to enhance sustainable tourism and support the regeneration of key brownfield sites in the Masterplan area,

whilst protecting the unique character of the area. This is a strategic document with focus in the Leek character area on the strategic sites allocated in the adopted Local Plan;

- Staffordshire Moorlands Design Guide SPD, adopted by the Council in February 2018, and which identifies the key design character of the Staffordshire Moorlands area and provides guidance to Developers to be taken into account throughout the design process of new development; access, spaces and external works; alterations, extensions and conversions; shop front and signs; and details and materials;
- The Staffordshire Moorlands Local Heritage Register SPD, sets out the Council's intention to identify key heritage assets that are not statutorily listed, and maintain a list of them to ensure the significance of them is taken into account;
- Space about dwellings, is an extract of the former Staffordshire Moorlands Local Plan (1998) providing advice on suitable interface distances and associated design advice;
- Developer/Landowner contributions SPG, adopted in November 2004 and sets out the likely planning obligations that would be needed to justify development and the considerations that the Council will have in assessing this;
- Public Open Space SPG, adopted in November 2004 and sets out how the Council will ensure that new development provides for the correct amount of open space;
- Housing for Local People and Affordable Housing SPG adopted in February 2005 and sets out the need for affordable housing, and how the Council will secure affordable housing as part of new development; and
- Design Principles for Development, provide guidance on good design principles for new development.

Emerging Leek Neighbourhood Plan

- 4.10. Leek Town Council are currently in the process of drafting a Neighbourhood Plan for Leek. It is believed that the plan is currently at Stage 1 in the process. It was proposed that the first draft of the Leek Neighbourhood Plan with draft policies was aimed to be available for public consultation in late 2019. No further dates are yet to be released by Leek Town Council in regard to the Leek Neighbourhood Plan. Given the emerging Neighbourhood Plan is in its early stages it is envisaged that it will not be given any weight in the decision making of this application.

5. KEY PLANNING CONSIDERATIONS

- 5.1. Full planning permission is sought for the redevelopment of this previously developed Site to provide 57 no. apartments for people aged 65 years old and over, communal spaces within the building for residents and office space for building management staff. Externally residents have the benefit of gardens areas and parking facilities for 31 no. vehicles and bicycles, and a buggy store. The main vehicular access to the Site is proposed to be directly from Duke Street, and pedestrian links are included from the Site onto Compton and Cornhill Street to provide convenient access for those walking into the town centre or using public transport links. All apartments proposed are to be made available on affordable housing tenures.
- 5.2. The scheme is brought forward with the Constructing Growth and Housing 21, a leading not-for-profit provider of Retirement Housing and Extra Care for older people of modest means that manage similar schemes across England.
- 5.3. This proposal is similar to an extant planning permission for the Site (reference SMD/2017/0083) which provides a fallback position for the proposals. This permission was for 57 no. apartments for those aged over 55 years old albeit with the provision of more care such that the Use Class approved was C2. This is a material consideration that should be taken into account when determining this application, as well as the policies of the Statutory Development Plan.
- 5.4. It is recognised that since the approval of planning permission reference SMD/2017/0083, a new Local Plan has been adopted (Staffordshire Moorlands Local Plan, adopted September 2020). Whilst the policy objectives have not significantly changed the following section of this Planning Statement assesses the suitability of the site for the proposed development having regard to the new Local Plan and national planning policies as well as the extant planning permission. Consequently the key issues to be considered in determining the planning application are identified and addressed below.

Principle of Development

Location of Development

- 5.5. The Site is located well within the settlement boundaries of Leek, the principal town in Staffordshire Moorlands as identified in Local Plan Policy SS2. The redevelopment of this Site is therefore aligned with the policy objective of focussing future growth and regeneration in 'towns' as set out in Local Plan policies SS3 and SS4, which sets out the spatial strategy for the Borough and focusses the highest proportion of development in Leek. This comprises of 30% of all new housing development to be

provided in Leek, in comparison with 20% in Biddulph, which is the settlement in the hierarchy. The proposals therefore comply with policies SS2, SS3 and SS4.

- 5.6. The Application Site is considered to be in a highly sustainable location. It is within easy walking distance of Leek Town Centre, where a range of shopping facilities and local services are available. This include Leek Bus Station some 250 metres to the east of the Site and provides links across the Borough. Furthermore, the Site benefits from a bus stop immediately to the west of the Site on Compton. Routes that by-pass the Site provide regular and convenient links to Macclesfield and Hanley. The proposed development has been designed to maximise the benefits of its location, with pedestrian links provided on to Cornhill Street and Compton to ensure convenient access to the Town Centre and adjacent bus stops respectively. The location of the Site is therefore considered to comply with policies SS1, SS5, SS11, T1 and T2 of the Local Plan.
- 5.7. The location of the Application Site is therefore considered to be aligned with the policies of the Local Plan in respect of settlement hierarchy and development distribution at a strategic level, and also at a site level with easy access to local services and facilities, including public transport.

Reuse of Previously Developed Land

- 5.8. The Application Site comprises of previously development land in a sustainable town centre location as set out above. The Site is currently vacant land comprising of compacted hardstanding due to the implementation of the 2017 planning permission, as such although it has been vacant for sometime has very little scrub across the Site. As the Site is located on a main throughfare into Leek Town Centre in its current form it is considered to be detracting from, and detrimental to, the wider streetscene.
- 5.9. The proposed development will ensure the re-use of this previously development land which is currently having a detrimental impact locally in respect of perceptions of Leek, neighbouring properties and being of no ecological value. The principle of redeveloping this Site is therefore considered to be sustainable by virtue of the scheme making an efficient use of brownfield land. Furthermore, the proposals will have a positive impact on the immediate streetscene and perceptions of the surrounding area by ridding the neighbourhood of a vacant site that provides an opportunity to meet local affordable housing need for older people and bio-diversity improvements. Support for the re-use of previously developed land in this regard, is clearly set out in Local Plan Policy SS1, SS5, SS11, and the NPPF.

Principle of a Future Residential Use

- 5.10. The Site is white land, i.e. has not been allocated or designated for any future or existing use as set out on the Local Plan Proposals Map. It is recognised that the Site was last in an employment use, and therefore Local Plan policies E1 and E1 should be taken into account when determining this application. However, The Site has not been in an employment use and indeed been devoid of buildings since 2018 when planning permission reference SMD/2017/0083 was implemented. It is therefore clear that the Site does not, and has not, provided any employment opportunities for at least 4 years. The reuse of the Site for an alternative use will therefore not result in the loss of employment floorspace or job opportunities in Leek. Furthermore, to redevelop the Site for employment uses would be contrary to the strategic locations for new employment uses in Leek as set out in the Local Plan, which are located on the outskirts of the Town (Cornhill East and Newton House) where they are more accessible and allows space for businesses to grow and therefore will meet typical modern employment occupier requirements.
- 5.11. The Site benefits from an extant planning permission for redevelopment to principally provide future residential dwellings, albeit Use Class C2 as an element of care was to be made available to residents. This permission provides a realistic fall back position that is a material consideration in determining future planning applications and was clearly taken into account when application SMD/2017/0083 was considered, as set out in the Planning Officer's Committee Report (see Appendix II). In this report loss of an employment use was not considered to be an issue in respect of the 2017 permission given the fall back position available and therefore not covered in the Officer's Report. This position remains the same with the proposals subject to this application. The proposed development is therefore not considered to be contrary to Local Plan policies E1 and E3.
- 5.12. Local Plan policies SS1, SS3, SS4, and SS5 set out a need to provide new homes in Leek, which is the focus for development over the plan period. Policies SS1, SS5 and H1 make it clear that the burgeoning need is for a mix of affordable homes for first time buyers and older people. This proposal will bring forward an otherwise stalled site in a sustainable location, providing much needed affordable homes for older people. Although the Site is not allocated as a future residential Site in the Local Plan, it was identified in the 'Strategic Housing Land Availability Assessment: Stages 1, 2, & 3 Summary (July 2015)' document that formed part of the evidence base for the Local Plan. Site LE151 was assessed as benefitting from full planning permission for a residential use and was considered to be available, suitable, achievable, and hence deliverable within the short term (5 year) period. It is therefore clear that the Council envisage the Site coming forward for a future residential use. The proposed development therefore provides a boost to the housing land supply in Leek in accordance with Local Plan policies SS1, SS3, SS4, SS5, and H1.

Overall Development Principles

5.13. Local Plan Policy SS1 sets out the development principles that all planning application will be assessed against. The proposed development is considered to align with the policy objectives set out in Policy SS1 in the following ways:

- The proposals comprise of a mix one and two bedroom apartments of a high quality design, that will be available on 100% affordable housing tenures for older people;
- The proposals include communal facilities (principally, on-site staff, a resident's lounge with tea-making facilities, buggy store, bicycle and vehicle parking) designed to meet the needs of future residents that have been informed by Housing 21's expansive experience at other successful developments across the Country;
- The Site is conveniently located close to Leek Town Centre and the shops, services and facilities it offers;
- The scheme will include some employment opportunities as on-site staff will be available for residents and general building maintenance;
- The proposals have been designed to ensure a healthy, safe and attractive environment is created with excellent linkages to the surrounding area provided;
- The design of the scheme has been heavily influenced by the site context and its heritage value, as well as previously approved schemes which have been subject to design reviews to ensure that the proposals are fit for its context and successfully reflect the distinctive character of the area;
- The scheme incorporates a soft landscaped setting and ecological features including soft landscaping to attract insects and birds, as well as bat and bird boxes to provide an overall ecological improvement over the current (and former) site conditions; and
- The scheme will make use of an other vacant brownfield site on a prominent thoroughfare leading into Leek Town Centre.

5.14. On this basis the scheme is considered to comply fully with Local Plan Policy SS1, and as set out above the future residential redevelopment of the Site is considered to comply with the Local Plan and NPPF.

Affordable Housing and Housing Mix

5.15. The scheme comprises of 57 no. one and two bedroom apartments, all of which have been designed to meet the needs of the local community. Housing 21 have been identified as the end operator of the scheme, and as a result the scheme reflects their bespoke design and facilities requirements which therefore include communal social spaces, a lobby area for staff and residents to interact, buggy store, and sufficient space for plant and equipment.

- 5.16. Housing 21 specialise in the provision of the affordable housing for older people. For this reason the scheme comprises of predominantly one bedroom apartments, and a number of two bedrooms. Importantly all apartments have been designed to be fully accessible so that they can be adapted to meet the changing needs of residents over time. This is demonstrated in the Design and Access Statement and floor layout plans which clearly show 1.5 metre clearance spaces throughout the apartments. All apartments exceed Nationally Described Space Standards. The proposed housing mix and design of the apartments are therefore considered to be wholly appropriate for a retirement living scheme. This approach to redeveloping the Site will meet an identified need for housing for older people as set out in local plan policies H1 and SS5.
- 5.17. The provision of apartments in this area of the town, which mostly comprises of houses, will provide an opportunity for people wishing to downsize to remain in their local community. It also ensures that the urban grain of this area of Leek will be enhanced, whilst providing a complementary/'good neighbour' use close to existing homes which largely surround the Site.
- 5.18. All of the dwellings will be made available on affordable housing tenures. This far exceeds the 33% requirement set out in Local Plan Policy H3 on all schemes over 10 no. dwellings. It is requested that the Council seek to secure the affordable tenure of the scheme by way of planning condition, as is proposed as part of the current outline planning application.

Residential Development Benefits

- 5.19. In addition to the scheme comprising of 100% affordable housing tenures, and therefore meeting an identified need in Leek, residential development also delivers a variety of other benefits. It is anticipated that this scheme may also be beneficial to the community in the following ways:
- Replace a vacant site with a high quality bespoke scheme designed to meet the needs of local, older residents in need of affordable housing and provide a much improved streetscene;
 - Whilst the Site is not located within a Conservation Area, it is bound by the Leek Conservation Area and is adjacent to a Listed Building. The scheme has been designed to ensure that it protects and enhances these assets;
 - Increase in local population which will result in increased local expenditure to support local business and services;
 - Support the employment of 176 no. people, directly and indirectly as part of the construction process¹;

¹ As calculated through the Home Builders Federation Housing Calculator [HBF Housing Calculator](https://www.hbf.org.uk/housing-calculator)

- Generate £687,021 in tax revenue, including and estimated £64,379.22 in Council Tax revenue².

5.20. The above potential benefits assist in demonstrating the social and economic sustainability of the proposals in accordance with the NPPF and general policy objective of the Local Plan.

Design and Open Space in New Housing Development

5.21. The proposed scheme has been designed to meet the requirements of Housing 21, which ensure that the proposals meet the requirements of older tenants, and take into account the context of the Site. This is evident by the inclusion of the following key parameters that have been incorporated into the proposals:

- The same vehicular access into the Site is proposed off Duke Street as approved under permission reference SMD/2017/0083;
- Visibility splays for the site vehicular access will remain free from development;
- 31 no. vehicular parking spaces (3 no. of which are dedicated accessibility spaces), a buggy store, and bicycle parking facilities;
- All apartments exceed NDSS Standards and ensure suitable manoeuvrability for people of all abilities;
- The proposed apartment building is limited to 4 storeys in height across a split level site, albeit overall this results in a 5 storey development. This is reflective of the extant scheme;
- The massing and scale of the building are similar to that previously approved at the Site, having been subject to design reviews. Together with the positioning of the building on Site this is reflective of the urban grain of this area of Leek and the former Mill use of the Site;
- The scheme retains the former mill being staircase turret that remains on Site fronting Compton. Furthermore key elevational features have been incorporated from this assets in the elevational design of the proposed building, notably predominant use of red brick and stone detailing bands;
- Integral to the scheme are gardens areas designed to meet the needs of local residents this includes: amenity landscaping to the Compton side of the development for a pleasant outlook for residents on this side of the building as well as a buffer from the A520; a hard landscaped courtyard area and soft landscaped garden area located adjacent to the main building entrance for residents to enjoy when entering or leaving the building and convenient for residents with restricted mobility; and a further soft landscaped area with pergolas to the north east corner of the building, close to the pedestrian link on to Cornhill, again to be convenient for those entering

² As calculated through the Home Builders Federation Housing Calculator [HBF Housing Calculator](#)

or leaving the Site using this route. Further soft landscaping is proposed throughout the parking area to create a pleasant entry to the scheme;

- Active frontages are proposed overlooking Compton, Cornhill Street and the proposed garden areas and parking areas to ensure that the development integrates with the surrounding streets and provides maximum opportunities for natural surveillance to ensure a safe and secure environment is created; and
- The proposed layout provides a number of pedestrian linkages to the surrounding streets to provide convenient link to Leek Town Centre and the bus stop on Compton to encourage the use of sustainable modes of transport and reduce reliance on the private car.

5.22. It is noted that the proposals comprise of one additional parking space in comparison to the previously approved scheme at the Site. When considering the proposed level of parking against that required by Local Plan Policy T1 and associated Appendix 2 of the Local Plan³ the scheme is over providing parking spaces. However, given the surrounding highway context which offers little opportunity for on-street parking the approach to parking provision is considered to be appropriate for residents, staff and visitors and is based on Housing 21's experience of other successful schemes.

5.23. The scheme incorporates private open space for residents to enjoy. Ultimately the scheme has been designed to meet HAPPI design principles which outline the requirements of older people which include good landscape settings for residential schemes. Private amenity space has become increasingly important in recent times, with the lockdown measures enforced as a result of the Corona virus pandemic which it is widely acknowledged has detrimentally impacted those on lower incomes. Therefore, the provision of private garden spaces for residents, and ensuring a variety of open spaces are provided, has continued to be integral in the scheme design.

5.24. It is considered that the proposed development will embody the high quality design requirements set out in Local Plan policies DC1 and DC2.

Heritage Impacts

5.25. The Site does not contain any designated, or non-designated heritage assets albeit it is located within the setting of a Grade II Listed Building (St Mary's Roman Catholic Church, to the west of the Site) and shares boundaries with (but it not part of) the Leek Conservation Area. To ensure the impact of

³ Given the scheme comprises of 'Sheltered Housing/Elderly Persons Housing' 1 space per 4 no. dwellings and 2 spaces for resident staff and 1 space for non-resident staff totals 18 no. parking spaces.

the scheme on these identified heritage assets is fully taken into account the application is accompanied by a Heritage Statement undertaken by Lanpro Services.

- 5.26. The Heritage Statement provides a robust assessment of the Site and its setting, including a full consideration of the significance of the adjacent Church and Leek Conservation Area and its characteristics. It is acknowledged that whilst the proposals will result in a change in the setting of the Listed Building and character of the Conservation Area due to the change of use of the Site, the mass and scale of the proposals will not compete with the Grade II Listed Church or the dense urban grain of the site context. Overall it was concluded that the proposed development will not result in harm to the significance of the Church or the Conservation Area. The proposed development is therefore not in conflict with the NPPF or Local Plan Policy Policy DC2.
- 5.27. Furthermore, as set out above the scheme has incorporated the retained structure (former mill stair case) into the scheme design, and taken design features from this in the elevational appearance of the building. When considering that the proposals will see the stalled Site come forward for development it is considered to have wider benefits on the appearance of the streetscene, thereby enhancing the surrounding area including that of the Conservation Area. There are also social and environmental benefits with the redevelopment of the Site that need to be weighed up in assessing the heritage impact of the scheme notably the provision of much needed affordable housing for older people and soft landscaping aimed at improving the biodiversity of the Site respectively.

Residential Amenity

- 5.28. The proposed development comprises of residential uses which will be complementary to the surrounding residential uses. Furthermore, the scheme has been designed to include suitable interface distances to ensure that the existing privacy enjoyed by neighbouring residents is respected.
- 5.29. The proposed development is a noise sensitive use, and therefore the application is accompanied by a Noise Impact Assessment undertaken by E3P. The assessment comprises of a comprehensive assessment of potential noise issues given the context of the Site.. The dominant noise source was identified as being vehicle traffic on Compton (A520). Given that lock down restrictions associated with Covid-19 pandemic were in place at the time of the assessment due full noise surveys were not possible. However, measurements of maximum instantaneous sound levels due to vehicles passing has been supplemented by road traffic flows taken from the Department for Transport. As a result of this assessment, it was identified that mitigation would be required to ensure that an adequate residential environment is created within the proposed apartments. This comprises of recommended higher specification glazing for living rooms and bedrooms along the frontage with Compton and a

whole dwelling ventilation system is required for all dwellings with line of sight to Compton to ensure a comfortable environment is created for potential residents. These measures ensure that noise related issues are not a determinative issue for the proposals.

- 5.30. Overall, it has been demonstrated through the application supporting assessments that an appropriate residential environment can be provided for potential residents of the scheme and the scheme has been designed to protect the amenity of adjacent existing residents. The proposed development is therefore compliant with the NPPF and Local plan Policy SD4.

Highways and Accessibility

- 5.31. As set out in the NPPF and Planning Practice Guidance (PPG), only development that will generate a significant amount of movement are required to provide a Transport Assessment or Statement with their application submission. The Application Site benefits from an extant permission for a similar development in respect of the proposed end use and scale (57 no. apartments for older people, albeit the level of care is slightly less than that now proposed). Whilst the extant permission was supported by a Transport Statement that robustly assessed the impact of the scheme on the highway network and was supported, this application is accompanied by an up-dated Transport Statement by Ashley Helme.
- 5.32. The TS robustly assesses the accessibility of the Site given its context, and concludes that the Site is in a highly accessible location given its proximity to Leek Town Centre and public transport connections. The proposals by virtue of its location and design, with connections to the surrounding footways and road network, therefore provides realistic opportunities for sustainable modes of transport.
- 5.33. Whilst the impact of the scheme on the highway network has been assessed and approved as part of extant consent SMD/2017/0083, this is undertaken again in the submitted Transport Statement. As a result of this assessment it is identified that the proposals are likely to result in a reduction in the number of trips to and from the development in the morning and evening peak travel times. Overall it is concluded that the proposed development will have no material impact on the operation of the highway network.
- 5.34. The Transport Statement also includes associated swept path analysis and visibility splays to ensure that the proposed access and internal layout are acceptable. The swept path demonstrates that the Site can be suitably serviced by a large refuse vehicle. The visibility splays, which have been drawn in accordance with the requirements set by the Local Highways Authority, demonstrate that the

proposed access into the Site (which remains the same as that which was previously approved) is safe and achieves the requisite standards.

- 5.35. In highways terms the proposed development is therefore considered to be compliant with Local Plan Policies T1 and T2, and the principles of the NPPF.

Other Technical Considerations

Ecology

- 5.36. The application is accompanied by an Ecological Appraisal that assesses the Site and proposed scheme in respect of both ecology and bio-diversity. As a result of the initial site walkover and Phase I Habitat Survey the it was identified hat the retained structure on Site had bat roost potential. In order to ensure that the proposed scheme does not have a detrimental impact on the protected species bat emergence surveys of the structure were undertaken in May and June 2021.
- 5.37. The supporting Ecological Appraisal confirms that given the current condition of the Site it is of very limited bio-diversity value. Furthermore, the bat surveys undertaken in both 2017 (as part of the extant permission at the Site) and 2021 detected no evidence of roosting bats in the existing structure on site. In order ensure that the proposed development provides an overall improvement in respect of bio-diversity the proposed development includes landscaped areas that have been designed to boost the ecological value of the Site, together with the proposed inclusion of bat and bird boxes as set out in the submitted Ecological Appraisal and Landscape Plans.
- 5.38. On this basis due consideration has been ecological issues associated with the redevelopment of the Site. The scheme is therefore considered to be in compliance with Local Plan Policies C3 and NE1, and the NPPF.

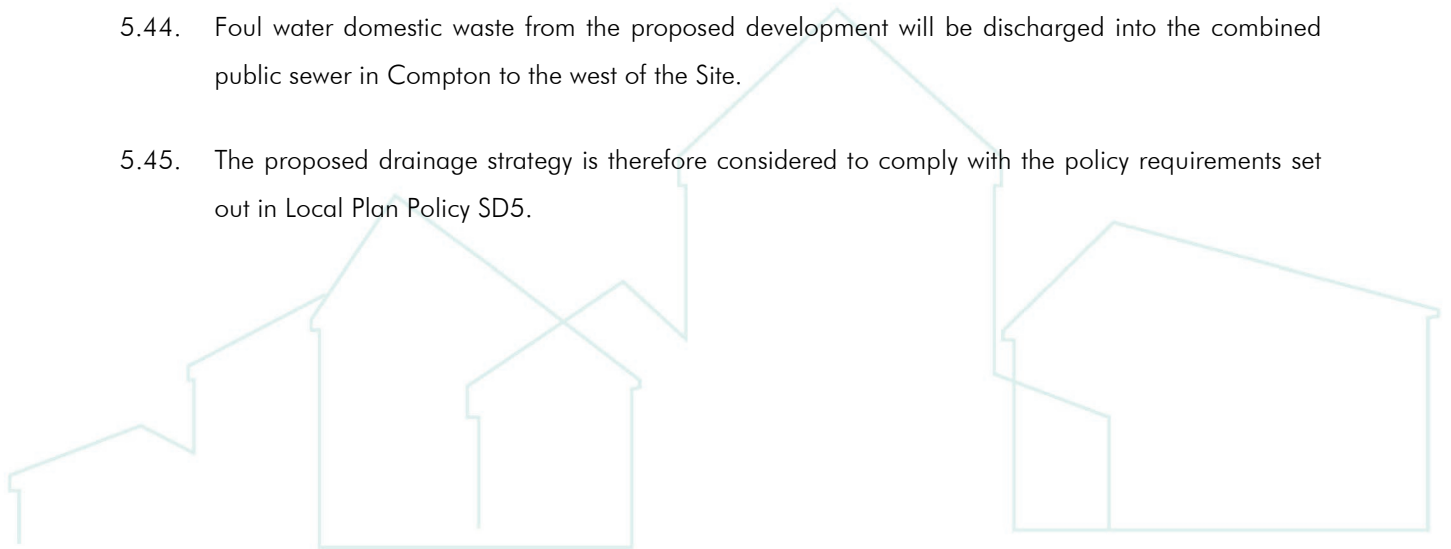
Ground Conditions

- 5.39. This application is accompanied by a Stage 2 Geo-Environmental Investigation Report, by ARP, which assesses the ground conditions of the Site and its suitability to be developed for a future residential use.
- 5.40. As part of this report full consideration of historical mapping, the geological make up of the Site and its previous industrial uses as set out in an earlier report informed the 17 no. trial pits that were undertaken as part of the intrusive site investigations. The results of these tests confirm that the Site is suitable for a residential use, subject to the implementation of a remediation strategy. Ground conditions and contamination and therefore not a constraint to development and the proposed development complies with Local Plan Policy SD4.

- 5.41. It was also noted at paragraph 4.15 of the Stage 2 Geo-Environmental Investigation Report that soakaway testing undertaken as reported in earlier report (that supported the extant permission) did not achieve the requisite 75% decrease in water level. As a result, it was concluded that the bedrock strata is not suitable for the disposal of surface water via soakaways.

Flood Risk and Drainage

- 5.42. The Site is not located within an area at risk of flooding (Flood Zone 1), and comprises of a previously developed site with an area under 1 hectare. On this basis there is no requirement for a flood risk assessment to accompany this application. Nevertheless, for completeness this application is accompanied by a Flood Risk Assessment and Drainage Strategy, provided by ARP, for completeness.
- 5.43. Whilst the Site is not considered to be at risk of flooding, the drainage scheme has been designed to ensure that external levels fall away from the proposed building towards drainage gullies as part of a sustainable urban drainage surface water system. As the ground conditions are not suitable for soakaways, and there are no water courses within the vicinity of the Site that the development can drain into, the drainage strategy for the proposals comprise of sub-base storage beneath permeable parking areas, a below-ground tank, and large diameter pipes, to manage surface water up to the 1 in 100 year plus climate change event before discharge to the sewer. It has been agreed with Severn Trent that the development can utilise the Site's existing point of connection into the sewer system for the surface water run-off at a rate of 8.8 litres per second. This is a significant improvement over the existing site conditions, as it has been calculated as a 65% betterment over existing surface water drainage rates.
- 5.44. Foul water domestic waste from the proposed development will be discharged into the combined public sewer in Compton to the west of the Site.
- 5.45. The proposed drainage strategy is therefore considered to comply with the policy requirements set out in Local Plan Policy SD5.



6. SUMMARY AND CONCLUSION

6.1. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application is to be determined in accordance with the adopted statutory development plan unless material considerations indicate otherwise.

6.2. Taking into consideration the planning objectives as set out in the statutory development plan and the NPPF the key planning issues are considered to include:

- The proposed development makes an efficient use of a previously developed, vacant and problematic Site in a prominent and accessible location;
- As set out in the NPPF this proposal has the potential to provide a modest boost to the Council's housing land supply, and will see a Site identified in the Council's five year housing land supply come forward (as set out in the Council's 'Strategic Housing Land Availability Assessment: Stager 1, 2, & 3 Summary (July 2015)');
- The deliverability of the scheme is now considered to be certain, as the joint Applicant is the Housing Association for whom the scheme has been designed to ensure it meets the needs of their tenants. Housing 21 and Constructing Growth are both committed to delivering the scheme and providing much needed affordable homes in Leek;
- The proposed scheme provides a good mix of 1 and 2 bedroom apartments, suited for retirement living;
- The proposals include the provision of on-site facilities for residents (including on-site staff to manage the building and assist residents, a resident' lounge, outdoor amenity space for residents to enjoy and parking facilities for buggies, bicycles and cars). These are guided by Housing 21's observations across their retirement living portfolio to ensure that resident's needs are met from first occupation;
- The scheme will provide a variety of socio-economic benefits synonymous with residential development. Principally the scheme will comprise of 100% affordable housing for older people, meeting an identified need as set out in the Local Plan policies, but also includes construction jobs during the build out phase, increase in local population, an increase in local expenditure and the provision of council tax revenues on an otherwise vacant Site;
- The proposed scheme is of a high quality design that is similar to the design approved as part of extant permission reference SMD/2017/0083. Key design features have been incorporated to reflect the context of the Site and its proximity to heritage assets including Grade II Listed St Mary's Church and the Leek Conservation Area;

- The proposed access is in accordance with the approved details as part of extant planning permission reference SMD/2017/0083;
- The ecological impacts have been assessed and mitigation measures proposed as part of the scheme to ensure an overall improvement over the current site conditions and no detrimental impact to protected species; and
- Full assessment of all other relevant technical considerations to demonstrate that there are no reasons why planning permission should not be granted for this scheme.

6.3. NPPF makes clear that Local Planning Authorities should approach decision-making in a positive and creative way in order to foster the delivery of sustainable development. It is clear that this proposal represents sustainable development, in social, environmental and economic respects and the presumption in favour of sustainable development as referenced in the NPPF. Moreover, the proposed development is considered to comply with the policies of recently adopted Local Plan. Accordingly, planning permission should be granted without delay.



APPENDIX 1 – DECISION NOTICE FOR EXTANT PLANNING PERMISSION REFERENCE SMD/2017/0083



Penny Smith
Gladman Care Homes Ltd
Gladman house Alexandria way
Congleton
Cheshire
CW12 1LB

Mrs Smith

Application no: SMD/2017/0083

Determined on: 29th November 2017

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015 (as Amended)

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:

Compton Mill Compton Leek Staffordshire ST13 5NJ

Description of Development:

Proposed residential accommodation with care, (use Class C2) comprising 57 apartments for persons aged 55 and over with communal areas, associated landscaping, access roads, car parking, bin stores and services

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the following submitted plans: 03840 P2 101, 102A, 103A, 111A, 112A, 113A, 114, 115A, 121A, 122A, 123A, 124A, 125A, 126A, 131A, 132A, 133, 141A, 142 and 151.

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Notwithstanding the details submitted with the planning application and shown on the submitted plans, the development hereby permitted shall not be commenced until samples of all roof tiles, facing materials (including contrasting render panels and attic banding) and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

4. Notwithstanding details shown on the submitted plans the development hereby permitted shall not be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority;

a) Full details of the proposed windows and doors including materials (timber or metal and not UPVC), finish/colour and sections of the proposed frames at a scale of 1:20;

b) Recess depth of door and window frames;

c) Window head and cill details

d) An assessment of existing stonework to be retained and reused in the development

e) Decorative banding detail

f) Eaves and verge detail and

g) Detail showing how the retained stair tower will attach to the new building

The development shall be carried out strictly in accordance with the agreed and approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

5. Prior to the commencement of development a full Schedule of Repair for the stair tower (including its internal features and stairs) which is to be retained as shown on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be carried out before the building is first brought into use.

Reason:- In the interest of the historic character and appearance of the area

6. Prior to commencement of site demolition work an emergence bat survey following

Colins, J.(ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition), The Bat Conservation Trust shall be carried out according to the survey criteria for low potential bat roost building structures. The activity survey results recorded shall be submitted to and agreed in writing by the Local Planning Authority, along with details of any further requirements and any actions to be implemented as being necessary in response to the survey results with timescales. . The development shall be carried out strictly in accordance with the approved details/timescales.

Reason:- To ensure appropriate protection for bats as European Protected Species

7.Prior to the commencement of development (excluding demolition and site clearance) details of the following shall be submitted to and approved in writing by the Local Planning Authority together with a timetable and details of persons responsible for installation, maintenance of the nest and roost sites;

- Integral nest sites within the fabric of the building for breeding Swift and House Martin and

- Integral roosting sites for bats within the fabric of the building

The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of biodiversity enhancement

8.Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations;

- 08:00 - 18:00 hours (Monday to Friday);

- 08:00 - 13:00 hours (Saturday);

- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason:-To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

9. The machinery, plant or equipment including air condition and ventilation systems ('machinery') installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during the day time expressed as LA90 (1 hour) (day time 07:00-23:00 hours) and/or (b) LA90 (15 mins) during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014 or the prevailing standard if updated.

Reason:- To protect the local amenities from noise.

10. Development (excluding site clearance and demolition) shall not commence until a scheme for protecting the proposed residential units from both external noise and the internal transmission of noise between individual residential units, has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:2014 or the prevailing standard if updated (Guidance on Sound insulation and noise reduction for buildings) and be designed to achieve noise levels of less than 30 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and less than 55 dB LAeq in outside areas. The development shall be carried out strictly in accordance with the agreed scheme. On completion and prior to first occupation, tests shall be carried out to verify compliance with this condition. A report shall be produced containing all raw data and showing how calculations have been made and submitted to the Local Planning Authority for its written approval.

Reason:- To protect occupiers from noise and safeguard their residential amenities.

11. Prior to first occupation details of all ventilation and filtration equipment to be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall thereafter be installed and operated and maintained in accordance with manufacturer's instructions for as long as the use continues. Details shall include outlet height which shall be at least 1 metre above ridge height of the nearest building.

Reason:- To protect the local amenities of the local residents by reason of odour

12. Development (excluding demolition) shall not commence until a further risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The report of the findings shall include;

a. A further survey of the extent, scale and nature of any potential contamination;

b. A detailed risk assessment of all known site contaminants based on the potential risks to:

- Human health;
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
- Adjoining land;

- Ground and surface waters;

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.

Reason:-To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13.No development (excluding demolition) shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

- a. An appraisal of the remediation options and proposal of the preferred option(s);
- b. A remediation strategy giving full details of remediation objectives and remediation criteria;
- c. A timetable of works and site management procedures;
- d. A validation plan providing details of the data that will be collected in order to demonstrate that all the works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:-To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14.The approved remediation scheme must be carried out in accordance with its recommendations and approved timetable of works prior, unless otherwise agreed in writing by the Local Planning Authority. Prior to occupation of the development , a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to

and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the validation plan, and for the reporting of this to the Local Planning Authority.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12 and, where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 13 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

16. No top soil or fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material shall be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology shall include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority before the soil is brought onto site.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

17. The development (including demolition and site clearance) hereby permitted shall not take place until a Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include the following details:-

- I. A scheme to minimise dust emissions arising from demolition/construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.
- II. Details of wheel washing facilities. All demolition/construction vehicles shall have their wheels cleaned before leaving the site;
- III. a scheme for recycling/disposal of waste resulting from the demolition/construction works;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. The parking of vehicles of site operatives and visitors;
- VII. The loading and unloading of plant and materials;
- VIII. The storage of plant and materials used in constructing the development;
- IX. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- X. Details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

The development shall be carried out in accordance with Construction and Environmental Method Statement.

Reason: To protect the amenities of the area

18. Before the proposed development is first brought into use, visibility splays of 2.4m X 25m shall be provided at the proposed access to Duke Street in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions over a height of 600mm above the adjacent carriageway level for the life of the development

Reason:- In the interests of highway safety.

19. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans and approved surfacing details. These areas shall be retained as unobstructed areas for the life of the development. Parking bays shall be clearly delineated in accordance with Layout plan No 03840-P2-103A

Reason:- In the interests of highway safety.

20. The development hereby permitted (excluding demolition and site clearance) shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority

- Replacement and repositioning of the existing streetlight in the proposed Duke Street access and any consequent adjustments to lighting provision;
- Re-fixing of existing historic 'Cornhill Street' name plate, currently affixed to the existing building in an appropriate location

The development shall thereafter be constructed in accordance with the approved details.

Reason:- In the interests of highway safety.

21. Before the proposed development is brought into use the existing accesses made redundant as a consequence of the development hereby permitted by this consent, and as stated in paragraph 3.2 of the Transport Statement dated February 2015 shall be permanently closed and the access crossings reinstated as footway with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highways safety.

22. The development hereby permitted (excluding demolition and site clearance) shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved levels and there shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

23. The development hereby permitted (excluding demolition and site clearance) shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The plans for surface water shall include outfall from parking, turning and service areas. The scheme shall thereafter be implemented in accordance with the approved details before the development is first brought into use.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution and in the interests of highway safety.

24. Before the commencement of development (excluding demolition and site clearance) a landscaping scheme shall be submitted to and approved by the Local

Planning Authority. Such a scheme shall include full details of all new tree and shrub planting, giving specification for species, positions, planting sizes and numbers/densities of all new planting. The landscaping scheme so approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. The trees and shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- To ensure an acceptable finish to the development in the interests of the character and appearance of the area.

25. Prior to first occupation of the development hereby approved details of measures to restrict access to the proposed car park (accessed from Duke street as shown on the approved drawings) to residents, staff, visitors, deliveries and authorised personnel only shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the agreed details for the life of the development

Reason:- In the interests of highway safety.

26. No development (excluding demolition and site clearance) shall commence until such time that a scheme to improve pedestrian crossing facilities (to include motor scooters) to and from the application site across the road known as Compton have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented before first occupation of the development hereby approved.

Reason:- In the interests of accessibility and pedestrian safety.

Informative

1. This is considered to be a sustainable development which meets the provisions of paragraphs 186-187 of the NPPF

2. This permission should be read in conjunction with the Unilateral Undertaking 27th November 2017 which restricts occupation to persons aged 55 years and over and in need of care.

3. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 which require you to identify the impacts of the development in respect of any protected species that may inhabit the site. This may lead to a requirement for a protected Species Licence to be obtained before the proposed development can take place. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

4. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

5. The existing dropped crossing to the site shall be reinstated to footway with full height kerbs in accordance with drawings to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

6. The lighting column in the access will need to be relocated by SCC PFI contractor Eon. It may be that adjacent columns will also need to be relocated or lanterns replaced to provide adequate street lighting coverage. This will be at the developers expense and extent of works should be established at an early stage.

Please contact lightingforstaffordshire@eonenergy.com or highways@staffordshire.gov.uk or 0300 111 8000.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section at buildingcontrol@staffsmoorlands.gov.uk
2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.
3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
 - (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
 - (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.
4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.
5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
 - (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
 - (b) Variation to the approved plans will require the submission of a new planning application.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority’s decision then you must do so within 12 weeks of the date of this notice.

8. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
9. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
10. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
11. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
12. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- 13.

APPENDIX 2 – PLANNING OFFICER’S COMMITTEE REPORT FOR EXTANT PLANNING PERMISSION REFERENCE SMD/2017/0083



**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

Application No:	SMD/2017/0083	
Location	Compton Mill, Compton, Leek	
Proposal	Proposed residential accommodation with care, (use Class C2) comprising 57 apartments for persons aged 55 and over with communal areas, associated landscaping, access roads, car parking, bin stores and services.	
Applicant	Gladman Care Homes Ltd.	
Agent	Gladman Care Homes Ltd	
Parish/ward	Leek	Date registered: 13.04.17
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk		

REFERRAL

This is a major application for 57 apartments and falls within the Compton Mill Area Opportunity site within the Adopted Leek Masterplan.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to the prior completion of a Unilateral Undertaking and conditions.
--

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site lies within a mixed use area in the town centre of Leek. It extends to approximately 0.42 hectares (1.05 acres). The site slopes appreciably in an east to west direction. The site is bound to the west by Compton and Prospect Place, to the north by Cornhill Street, to the south by Duke Street and to the east by London Mill. The site lies within the setting of Leek Conservation Area and the setting of the Listed St Mary's Church. There are no listed buildings on the application site.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full application for 57 self-contained apartments for persons aged 55 years and over and in need of care together with communal facilities which include a lounge, restaurant, assisted bathroom, guest suite, hairdresser, activity and craft room, mobility scooter store, 30 car parking spaces and outside landscaped amenity space. The breakdown of accommodation is as

follows; 20 x one-bed units, 33 x two-bed units and 4 x three-bed units arranged over 5 floors. The scheme is predominantly a redevelopment of the site, but retaining the frontage stair tower.

3.2 The Planning Statement says that the model of care to be offered promotes independent living, is suitable for residents with dementia, could attract residents from existing care homes, maintains those who are self-funding their care and has the potential to reduce the financial burden on Staffordshire Adult Social Services. The accommodation, circulation space, internal and external communal areas are specifically designed to meet the needs of residents who have a variety of care needs. Overall, it complies with the overarching requirements of the Care Quality Commission.

3.3 Pre-application advice was sought from the Council in 2015. The applicant also sought advice from Urban Vision Design Review Panel who reviewed the scheme and provided comments, the majority of which have been reflected in this submission.

3.4 The application is accompanied by a Design and Access Statement, Planning Statement, Heritage Statement, Landscape Master plan, Bat survey, Transport Statement, Phase 1 Report, Flood Risk Assessment, Parking statement, Energy statement, proposed External lighting details, External lighting report, Travel Plan and Utilities Appraisal Report.

3.5 Members are encouraged to read these documents and the submitted plans prior to the meeting.

4. RELEVANT PLANNING HISTORY

10/00124/FUL-MJ Residential accommodation (C2 USE CLASS) Comprising 66 apartments with communal facilities, parking and associated private amenity space. Approved

SMD/2014/0702 Renewal of application 10/00124/FUL-MJ. Approved

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site

allocations process. Following consultation last year a Preferred Options Site Allocation DPD is currently out for consultation.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS5a Leek Area Strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution and Flood Risk
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations
- DC2 The Historic Environment
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: 21st June 2017

Site Notice expiry date: 4th July 2017

Local residents have been notified by letter.

One letter received commenting as follows:-

The plans have been considered. We have a business directly opposite the site and whilst we are generally in favour of the development, there are concerns regarding the expected construction noise. There is already excessive traffic noise from speeding lorries, which impacts on our guests and it is expected that increased construction noise will exacerbate the problem. Glazing companies will not undertake any works to upgrade the windows to triple glazing as the property is located within a conservation area and we are unsure how to resolve this issue.

Consultee	Comment	Officer response
Leek Town Council	Awaited.	Members will be updated at the meeting.

Local Highways Authority	No objection subject to conditions.	Refer to highways section.
Policy Officer	No objection. Advises that there has been no material change in planning policy since the renewal of permission in 2015.	Refer to principle section.
Conservation Officer	No objection. No harm to Conservation Area or setting of nearby Listed buildings. Conditions to secure good quality materials, detailing, boundary treatment.	Refer to design section.
Conservation Liaison Panel	Commented that the scheme represents an improvement on the approved scheme. Recommend that materials are carefully conditioned. Also consider that the white render crosses should be toned down.	As above.
Housing Officer	Awaited.	Members will be updated at the meeting.
Ecology Officer	No objection subject to conditions requiring further emergent bat survey, protection of breeding birds during construction, provision of biodiversity enhancement and evidence that any external lighting scheme will not impact adversely on bats or breeding birds.	

Trees and Woodland Officer	Awaited.	Members will be updated at the meeting.
Environmental Health Officer	Awaited.	As above.
Severn Trent Water	Awaited.	As above.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 As with all applications, the Local Planning Authority is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the NPPF indicate that development should be restricted.

Principle

7.3 The proposal relates to a brownfield site, which is situated in a sustainable town centre location in Leek. The principle of providing accommodation on this site for persons aged 55 years and over and in need of care was established under application ref. 10/00124/FUL-MJ and was subsequently time extended under SMD/2014/0702 to the 30th March 2018. As such there is an extant permission. The Policy Officer confirms that there has been no material change in planning policy since this time and in any case there is a clear fall-back position for such accommodation. The housing / care proposal regenerating a brownfield site accords with Policy SS5a, the Leek Area Strategy which seeks to consolidate the role of Leek as the principal service centre and a market town and support its regeneration. The principle of development is therefore acceptable in these circumstances.

Design / Heritage

7.4 Although Compton Mill is not a Listed building, the application site lies within the setting of a number of listed buildings, the closest being St Mary's Church and is also located within the setting of the Leek Conservation Area. The scheme has been considered by the Conservation Liaison Panel and the Council's Conservation Officer. A Heritage Statement is provided with the application, together with a Design and Access Statement (DAS). Policy DC2 seeks to protect heritage assets and Sections 66 and 78 place a statutory duty on decision makers to consider Listed buildings, Conservation Areas and their settings when assessing planning applications.

7.5 In terms of footprint, form and massing, the scheme reflects the approved scheme. As the Conservation Officer notes, in some respects it is slightly more successful in breaking up the massing of a large and substantial building. With the exception of the front stair tower, all other buildings are to be demolished. The approved scheme also retained the façade adjoining the tower to the north. Historic map regression in the Heritage Statement shows that following a major fire in 1963, the majority of the original mill buildings on the site were destroyed. The front stair tower and adjacent façade to the north survived albeit photographs in the Heritage Statement show the loss of the original top floor of this facade and the loss of the attractive stone entrance porch adjacent to the tower. Both the Heritage Statement and DAS highlight the contribution that the stair tower makes to the wider townscape and of it being particularly pronounced when looking south from the lower end of St. Edward Street. Whilst the loss of the adjacent façade is regrettable, it has no statutory protection. The aim therefore is to ensure that any replaced building is well designed, integrates into the existing townscape and respects and responds to the retained stair tower. It is considered that the scheme has achieved this. The building line adjacent to the retained stair tower is set back allowing the tower to remain as a prominent feature in the streetscape. The building is well designed and articulated. Overall it is of traditional design, vertically proportioned and predominantly brick under pitched tiled roofs. The south west elevation (Compton) is extensive, however, the elevations are relieved with a mixture of string courses, contrast render panels, contrast attic bands and light weight steel and glass panelled balconies. The north-west elevation is considered to be much improved in respect of the approved scheme through the introduction of gables. The south-east elevation immediately facing Duke Street has been amended to fully express the gable to assist in breaking up the length of walling.

7.6 Overall, the Conservation Officer accepts the conclusions of the Heritage Statement in that the proposal would not result in harm to the setting of the Leek Conservation Area or setting of nearby Listed Buildings. She comments, however, that facing materials would need to be carefully selected to compliment the corner tower and other adjoining buildings of character. In places, the roof-slope is very shallow and clarification is being sought as to proposed materials. Window openings and external doorways would need to be recessed to provide relief and interest to the facades. The contrasting render panels also need to be carefully detailed to blend in rather than unduly stand out. Eaves and verge details will also need particular care to respect traditional

building details and avoid fascia boards and boxed eaves. These are all matters which can be appropriately conditioned. A condition is also required to ensure that the stair tower is repaired, its internal features including the stairs retained and details secured to show how it would attach to the existing building. Subject to these conditions, the planning judgement is that the proposal is acceptable in both design and heritage terms and would not harm the setting of nearby Listed buildings or the setting of the Leek Conservation Area. As such there is compliance with DC1, DC2 and the NPPF.

Amenity

7.7 There are a number of residential properties in close proximity to the site whose amenity is a material consideration to the assessment of the scheme. Those most affected are the terraced properties on Cornhill Street and those on Duke Street including the pair of semi-detached properties numbers 25 and 27 Duke Street. On Duke Street, some of the existing dwellings would overlook an open area (parking/outside amenity area) rather than the existing mill buildings and as such their outlook would be improved. Other dwellings would face the proposed two-storey element of the scheme, which would be slightly lower in height and set back from the pavement edge by over a metre at this point. As a result, these properties would also benefit from some marginal improvement in their outlook. The separation distance between these properties and the mill buildings is already below the Local Plan requirement of 14.0m (it is approximately 9.5m). No principal windows are introduced in the new side elevation to Duke Street and as such there would be no issue of overlooking introduced by the scheme. On Cornhill Street, again the relationship with the existing terraced row of properties would be markedly better than the approved scheme as a result of a greater separation distance and reduced built frontage. Numbers 21-25 would overlook an open area (amenity space in the foreground with car parking beyond). Nos 17 and 19 would face the new building, which would be 4 storeys in height at this point, however, there would be a separation distance of approximately 22.0m. The facing windows opposite serve bedrooms. This relationship is considered to be acceptable and would not lead to any undue loss of amenity in terms of overlooking or being overbearing to existing properties. Of consideration, the site falls within a town centre location where a degree of overlooking is inevitable and indeed the close relationship of buildings forms an integral part of its character. Although not an over riding consideration, it is a matter of fact that no letters of representation have been received concerning these issues. Members will note a letter from a nearby business who expresses concern about noise during construction. A condition is recommended to control working hours and so limit noise disturbance to nearby residents and businesses.

7.8 For these reasons, the scheme is considered to be acceptable in terms of amenity and therefore compliant with policy DC1 and the NPPF.

Access and Highways

7.9 The application is accompanied by a Transport Statement. This confirms that all existing access points are to be closed and a single, new access formed on Duke Street to serve a parking area. The Local Highway Authority (LHA) has considered the Transport Statement and the proposed access and has raised no objection subject to conditions. A total of 30 parking spaces would be provided to which no objection is raised by the LHA who, in arriving at this view have considered the site's sustainable location and the nature of the proposed use. The LHA has however expressed concern that when on their visit to the site the footway on Duke Street was blocked by parked cars. They recommend that as a result of increased pedestrian demand from the proposal a condition is imposed requiring a management scheme to restrict on street parking on Duke Street. This would likely take the form of a Traffic Regulation Order. However it is noted that this did not form part of the previous and extant permission. Parking on the pavement is ultimately a police enforcement matter and for these reasons such a condition would not, it is considered, meet the relevant tests. Subject though to appropriate conditions to secure the access, parking, turning and servicing areas, required visibility, reinstatement of redundant access points, replacement and repositioning of the existing street light in Duke Street and refixing the historic 'Cornhill Street' sign, no significant highway issues are raised and there is compliance with policies DC1, T1 and the NPPF.

Biodiversity

7.10 A preliminary Bat survey conducted in 2015 found no evidence of bats and concluded that the application buildings had low potential as bat roosts. The inspection of the buildings found that a small number of potential bat roost sites were present. The report recommended a single emergence survey.

7.11 The Council's Ecology Officer agrees that the potential for a bat roost is low and based on up dated guidelines in Colins, J.(ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition), The Bat Conservation Trust advises that a further emergence survey should be carried out between May- August. He further advises that this can be appropriately conditioned as it is likely that proportionate mitigation and compensation for the loss of any bat roost can be accommodated within the existing design of the development. A European Protected Species licence would need to be obtained should evidence of bats be located.

7.12 The Bat survey also considered nesting birds and found evidence of these present in the buildings. Policy NE1 and advice in the NPPF require new development to produce a net gain in biodiversity. On this basis, the Council's Ecology Officer recommends provision within the new buildings of nesting features for use by birds and bats. These matters can be conditioned. Subject therefore to conditions to mitigate the impact and ensure adequate biodiversity enhancement, the proposal is considered to comply with policy NE1 and the NPPF.

Trees

7.13 A Landscaping Strategy and Landscape Masterplan accompany the application. These show a series of pathways leading to formal sitting out areas with grassed areas, flowers beds and tree and shrub planting. The Trees and Woodland Officers comments are awaited and will be reported at the meeting. In response to comments made by the Urban Vision Design Review at the pre-application stage in 2015, a series of sun path diagrams are included in the DAS and show that the three main areas of open space to the south-east, north-east and south-west have direct sun for much of the day in June and some also during spring and autumn. The Strategy also shows the proposed boundary treatments, which include a mix of brick walls, railings, dwarf walls and piers with railings and close boarded fencing. Boundary treatment will be critical to the overall success of the scheme and can be appropriately conditioned to ensure good detailing, good quality copings and intermediate piers and high quality materials.

Other issues

7.14 The application is for accommodation to be occupied by residents of 55 years and older and in need of care to meet a specific need. This use falls within Class C2 (Residential Institutions) rather than C3 (Dwelling houses) and because of this and in line with previous applications no affordable provision is being requested. The applicant's have provided a draft Unilateral Undertaking to restrict occupation of all units to persons who are 55 years or older and in need of care. This would ensure that the units are a genuine C2 Use and could not be occupied as unrestricted housing without recourse to the Local Planning Authority. The completed/agreed Unilateral would need to be in place before any permission could be issued.

7.15 A Flood Risk Assessment/drainage strategy has been submitted by the applicant. The comments of the relevant consultees are awaited but given that no objections were raised previously, no adverse issues are anticipated. An update will be provided at the meeting.

7.16 The comments of the Environmental Health Officer are awaited in respect of contamination, noise and air quality. Again, however, given that no objections were raised previously, no adverse issues are anticipated.

Planning balance

7.17 This is a brownfield site in a sustainable location. The development accords with the Development Plan. The provision of accommodation in this central location for persons aged 55 years and older and in need of care would contribute to the recognised and growing need for this type of specialised accommodation in the District and this represents a considerable social benefit of the scheme. There would undoubtedly be economic benefits arising during construction, from the creation of jobs once operational and from additional spending power in the local economy. The proposal would clearly result in the regeneration and environmental improvement of this prominent site identified as

part of the Compton Mill Area opportunity site within the Leek Masterplan. No harm to heritage assets has been identified as a result of the scheme. The proposal would deliver sustainable development within the terms of the NPPF. There is no reason to withhold permission and a recommendation for approval is therefore made.

8. RECOMMENDATION

That planning permission be granted subject to the prior completion of the unilateral Undertaking to restrict occupation to persons aged 55 years and over and those in need of care and following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the following submitted plans: To be confirmed

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Notwithstanding the details submitted with the planning application and shown on the submitted plans, the development hereby permitted shall not be commenced until samples of all roof tiles, facing materials (including contrasting render panels and attic banding) and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

4. Notwithstanding details shown on the submitted plans and submitted with the application, the development hereby permitted shall not be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority;

a) Full details of the proposed windows and doors including materials (timber or metal and not UPVC), finish/colour and sections of the proposed frames at a scale of 1:20;

b) Recess depth of the frame;

c) Window head and cill details

d) Decorative banding detail

e) Eaves and verge detail and

f) Detail showing how the retained stair tower will attach to the existing building

The development shall be carried out strictly in accordance with the agreed and approved details and be retained for the lifetime of the development.

Reason:- To ensure that the external appearance of the development is satisfactory and to protect the setting of the adjacent Listed Building and Conservation Area.

5. Prior to the commencement of development a Schedule of Repair for the stair tower which shall be retained as shown on Plan --- shall be submitted to and approved in writing by the Local Planning Authority. The agreed works shall be carried out before the building is first brought into use.

Reason:- In the interest of the historic character and appearance of the area

6. Prior to commencement of site demolition work an emergence bat survey following Collins, J.(ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition), The Bat Conservation Trust shall be carried out according to the survey criteria for low potential bat roost building structures. The activity survey results recorded shall be submitted to and agreed in writing by the Local Planning Authority, along with details of any further requirements and any actions to be implemented as being necessary in response to the survey results with timescales. . The approved requirements shall be carried out strictly in accordance with the agreed and approved details/timescales.

Reason:- To ensure appropriate protection for bats as European Protected Species

7. Prior to the commencement of development details of the following shall be submitted to and approved in writing by the Local Planning Authority and shall include details of persons responsible for installation, maintenance and timetables for construction of nest and roost sites;

- Integral nest sites within the fabric of the building for breeding Swift and House Martin and

- Integral roosting sites for bats within the fabric of the building

The development shall be carried out strictly in accordance with the approved details

Reason:- In the interests of biodiversity enhancement

8. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations;

- 08:00 - 18:00 hours (Monday to Friday);

- 08:00 - 13:00 hours (Saturday);

- No working is permitted on Sundays or Bank Holidays.

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason:- To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

9. The machinery, plant or equipment including air condition and ventilation systems ('machinery') installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during the day time expressed as LA90 (1 hour) (day time 07:00-23:00 hours) and/or (b) LA90 (5 mins) during night time (night time 23:00-07:00 hours) at any adjoining noise

sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:1997.

Reason:- To protect the local amenities from noise.

10. Development shall not commence until a scheme for protecting the proposed residential units from both external noise and the internal transmission of noise between individual residential units, has been submitted to, and approved in writing by the Local Planning Authority. The submitted scheme shall have due regard for the British Standard 8233:1999 (Sound insulation and noise reduction for buildings - Code of Practice), and be designed to achieve noise levels of less than 35 dB LAeq in bedrooms, less than 40 dB LAeq in living areas and less than 55 dB LAeq in outside areas.

On completion tests shall be carried out to verify compliance with this condition. A report shall be produced containing all raw data and showing how calculations have been made. A copy of such report shall be submitted to the Local Planning Authority for its approval. The approved requirements shall be carried out strictly in accordance with the agreed and approved details/timescales

Reason:- To protect occupiers from noise and safeguard their residential amenities.

11. Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from cooking activities on the premises. The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the prepared use continues. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing prior to commencement of this development. Equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use. Details shall include outlet height should be at least 1 metre above ridge height of the nearest building.

Reason:- To protect the local amenities of the local residents by reason of odour

12. Development shall not commence until a further risk assessment has been completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of the development. The report of the findings shall include;

a. A further survey of the extent, scale and nature of any potential contamination;

b. A detailed risk assessment of all known site contaminants based on the potential risks to:

- Human health;
- Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
- Adjoining land;

- Ground and surface waters;

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.

Reason:-To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with PPS23].

13.No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, property (existing or proposed including buildings, crops, livestock, pets, woodland, service lines and pipes; buildings), adjoining land and ground and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include:

c. An appraisal of the remediation options and proposal of the preferred option(s);

d. A remediation strategy giving full details of remediation objectives and remediation criteria;

e. A timetable of works and site management procedures;

f. A validation plan providing details of the data that will be collected in order to demonstrate that all the works set out in (a) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:-To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with PPS23].

14.The approved remediation scheme must be carried out in accordance with its recommendations and approved timetable of works prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. Prior to commencement of development , a validation report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved validation plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as

identified in the validation plan, and for the reporting of this to the Local Planning Authority.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12 and, where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition 13 which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 14.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

16. No top soil or fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority before development commences.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

17. Before the proposed development commences, details of the Surface Water Drainage including Surface Water Outfall from Parking, Turning and Service areas shall be submitted to, and approved in writing by, the Local Planning Authority which shall thereafter be constructed in accordance with the approved details and retained for the lifetime of the development.

Reason:- In the interests of highway safety.

18. Before the proposed development commences visibility splays of 2.4m X 25m shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions over a height of 600mm above the adjacent carriageway level

for the life of the development

Reason:- In the interests of highway safety.

19. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans and approved surfacing details. These areas shall be retained as unobstructed areas for the life of the development. Parking bays shall be clearly delineated in accordance with Layout plan No 03840-P2-103

Reason:- In the interests of highway safety.

20. The development hereby permitted shall not be commenced until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority

- Replacement and repositioning of the existing streetlight in the proposed Duke Street access and any consequent adjustments to lighting provision;

- Re-fixing of existing historic 'Cornhill Street' name plate, currently affixed to the existing building in an appropriate location

The highway works shall thereafter be constructed in accordance with the approved details.

Reason:- In the interests of highway safety.

21. Before the proposed development is brought into use the existing accesses made redundant as a consequence of the development hereby permitted by this consent, and as stated in paragraph 3.2 of the Transport Statement dated February 2015 shall be permanently closed and the access crossings reinstated as footway with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highways safety.

22. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

23. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

INFORMATIVES

1. This is considered to be a sustainable development which meets the provisions of paragraphs 186-187 of the NPPF

2. This permission should be read in conjunction with the Unilateral Undertaking dated -----
--which restricts occupation to persons aged 55 years and over and in need of care.

3. You are reminded of your responsibilities under the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 which require you to identify the impacts of the development in respect of any protected species that may inhabit the site. This may lead to a requirement for a protected Species Licence to be obtained before the proposed development can take place. Failure to carry out the requirements in accordance with the legislation risks offences being committed which could result in legal action including prosecution.

4. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance, building alterations and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

5. The existing dropped crossing to the site shall be reinstated to footway with full height kerbs in accordance with drawings to be submitted. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

6. The lighting column in the access will need to be relocated by SCC PFI contractor Eon. It may be that adjacent columns will also need to be relocated or lanterns replaced to provide adequate street lighting coverage. This will be at the developers expense and extent of works should be established at an early stage.
Please contact lightingforstaffordshire@eonenergy.com or highways@staffordshire.gov.uk or 0300 111 8000.